



Department Executive Committee
Meeting Minutes
September 10, 2025



The Department Executive Committee meeting was held on September 10, 2025, at the American Legion Department of SC, Columbia, SC

Dept Cmdr Jim Rabon

Acting Adj / NEC Jim Hawk

Alt NEC Cecil Phillips

Department Historian Vacant

Dept 1st Vice Cmdr Jack Lonergan

Dept 2nd Vice Cmdr Patricia Dandy

Dept 3rd Vice Jerome Childs

Dept 4th Vice Cmdr Lou Morse

D-1 Cmdr Darlene Walton

D-2 Cmdr Richardson

D-4 Cmdr Tom Myers

D-5 Cmdr Bonita Wells

D-6 Cmdr Vacant

D-7 Cmdr John Galloway

D-8 Cmdr Harry Malpass

D-9 Cmdr John Comins

D-11 Cmdr Mike Cook

D-12 Cmdr AL Hough Everage

D-13 Cmdr Rick Gibson

D-14 Cmdr Vacant

D-16 Cmdr Mark Dorsey

D-17 Cmdr Winston Boddie

D-18 Cmdr Larry Pouncy

D-19 Cmdr Charlie Strickland

Dept Sgt-at-Arms Kevin Joy

PDC John Palmer

PDC Joe Lysaght

Absent

Imm PDC Bruce Donegan

Dept J/A Cody Mitchell

D-3 Cmdr Brad Kennedy

D-10 Cmdr Joe Tracy

D-15 Cmdr Richard Dorman

D-20 Cmdr David Kenner

Also Present:

Dept Exec Director, M. May

Dept Finance Chairman Tom Yarborough

Post 15 Cmdr Dorian Brunson

National Judge Advocate Mark Seavey

Department Commander, James Rabon, opened the meeting and called on Chaplain Shuford for the invocation. Commander Rabon read Resolution 288, led the Pledge of Allegiance and the Preamble to The American Legion, and called on Acting Adjutant Hawk for the roll. Acting Adjutant Hawk called the roll and announced there was a quorum to conduct business.

Commander Rabon asked for a motion to approve the minutes of the previous DEC meeting. Motion made by Vice Cmdr Jack Lonergan to approve the minutes from May, 18, 2025 and July 9, 2025, second made by D-13 Cmdr Rick Gibson, all present approved the motion, none opposed. Motion to approve both sets of minutes passed. Commander Rabon called on Acting Adjutant Hawk.

Acting Adjutant, NEC Hawk stated there would not be an executive session today. He welcomed National Judge Advocate, Mark Seavey, and Post 15 Cmdr, Dorian Brunson and then he turned the meeting over to National Judge Advocate Seavey.

National JA Seavey stated he came down to make sure everyone on both sides is operating under the rule book, it's in the National Constitution under the Uniform Code of Procedure for the Revocation, Cancellation or Suspension of Post Charters.

So far the Department has done everything right. It's very important, this is very likely to result in litigation one way or another, it's already got litigation. So it's more incumbent upon us, meaning the Department and everyone else in the chain to do things exactly by the rules. And how much you have to pay your litigation counsel in how closely you match your actions to what the Uniform Code says.

National JA Seavey stated that right now, he's very pleased with it. There were some issues, he stated he wouldn't go too far down the road on what got him involved in the Post 15 nonsense in the first place, he stated that he doesn't get involved in these things in the first place because of the likelihood of this being appealed up to National, he thought it would be best to get involved early.

Seavy stated that the Department has already voted to suspend the post, that was done correctly under any number of rules that we have. At this point, you're moving into the trial phase. The first thing you have to do is get a resolution, the resolution will call for revoking, cancelling, or suspending the charter. Now, those three things sound very similar to a lot of people. He said you're either going to suspend or cancel.

Suspending means that you have an eye towards bringing them back sometimes in the near future, in a two to four year time frame, you're planning to bring them back.

If you just want to close the post, if it's just too much or there's too many things happening in the post, it's just facing too much litigation, cancelling is going to be your better option. But if you think the post is recoverable, with some help, then you want to go for suspension. That's the first decision that you have to make. Are you suspending or are you cancelling? In a suspension, JA Seavey stated he didn't necessarily need to be here because that will not likely make it up to his level. He stated that the only way it makes it up to his level is if the Department suspends and they appeal that decision, and the Post appeals that decision to the Department Convention next year. At that point, after the appeal is taken to the DEC, then they will have the option, if they don't like the result, they have the option to appeal it to National, which is a debacle.

So they have two avenues open to them if they wish to appeal whatever the determination of the Department is. JA Seavey stated he has never seen a Department cancel, and it didn't get cancelled. Unless there's grave procedure issues, as long as there's no procedural issues, we don't ever second guess the decision you make because it's up to you to defend your own Department. Seavey stated the only thing he looks at is not what determination the Department makes, not at any of the facts, not at anything of how the sausage is made, he said he just looks exclusively at the process. So we've got to be very careful because, again, it goes from whatever the Department decides once the DEC has the trial, and the DEC makes their recommendation that the Charter is suspended or cancelled, the post will have the right to appeal to the Department Convention. Seavey said he would plan on being at the Convention if this makes to that level.

Seavey also said his biggest concern is if they appeal from that, it goes to National and then we have to get involved. He said forget all the crazy things going on and focus on what your job is. He said even though it might not be going according to the script, you've got to stay on your script, it will make it significantly easier when you get to court, and say, we did this, we did this, we did this, we did this, we did this, we did this, we did this, and we did this. The courts have looked at what it means to miss a step, let's look at what it means, and you haven't done it.

This is purely hypothetical. Let's say the Department misses a step, the court's going to look at whether the missed step impacts the trial itself. They're not going to just throw something out because you missed a step. If you do make a mistake, you might have to go to trial. If you make no mistake, it will likely get thrown out, the court won't even go through the nonsense.

So when I say stay on the Constitution and Bylaws, I'm saying that for a very specific reason. I don't know what your D & O insurance (Directors and Officers) is for your Department, it's probably not high. The reason it's not high is because you don't face a lot of litigation. When we suspending the Department of Washington, they were paying \$5.50 per capita, I was in New Hampshire, and it was .35 cents per capita.

He reiterated he came because he wanted to see if the process was working and said that so far, everything has been done correctly.

He said something had been done wrong, starting with some disciplinary procedures that the post had done earlier. He said if you have someone dead to rights for disciplinary purposes, and you write up a charging sheet and charge them with conduct unbecoming, but you don't tell them what the conduct was, or you charge them with breach of fiduciary duty, but you don't tell them what the duty was or how they broke it, those are not things. If you walked into court because you got a speeding ticket, the judge isn't going to say, you got caught speeding, they're going to say you were caught going 62 mph in a 35 mph zone on Elm Street. There's specificity, so you have to give the person the opportunity to defend themselves.

So, when disciplinary charges are brought, there have to be specific charges or there's no there, there.

Cmdr Brunson stated he received a court order and asked if it was the 23rd of September that they go to court or is there a mediation?

Seavey answered that he is the National Judge Advocate so he can't answer to that side. He stated his job is interpret the constitution for everybody, but in terms of an actual legal duty, he stated his legal duty is to the red caps, the NEC, not to the Legionnaires at large.

My predecessor had a no touchy rule, that means the emblem can't touch anything else. I have a different rule, no touchy dealing with other corporations. So if I'm at National, I don't interfere with Department level stuff at all. I keep the line of communication with them; I've talked with them numerous times on this. I tell them I'm going to look for this, this, this, and this. But what I don't do is, you have to do this, or that. Department has to treat it the same way. You're going to only interfere in another corporation if you absolutely have to to maintain your brand. If you just don't like the post commander, that's not an issue to suspend a post, but know that when you interfere into a post in any way, shape, or form, you're adopting all of their

legal issues. So Commander Brunson's question about that, that's going to be played out in the court system, (inaudible) so I'm not going to be able to answer that one.

Commander Brunson stated he doesn't know how to proceed, he said we're getting calls all the time and we've been silent, we haven't said anything. We seen some things written up in the newspapers.

National Judge Advocate Seavey stated he came down because of what was said in a newspaper article. One of the Tone of the people in that conversation quoted on the record, said the American Legion is a Christian organization. It's a problem because that takes us out of a veteran's organization into more of a church organization. I don't want to make it seem like I dropped everything and ran down here because he said we're a Christian organization, it's not that. But we're under fire on a lot of different fronts right now. Seavey said we have to be careful about those type things.

There is a mingling of finances and for-profit and non-profit. These are all going to weigh in if the IRS gets wind of it and they go in an audit because someone said we're a Christian organization.

The big thing is the resolution, has that been written?

Acting Adjutant Hawk answered that it has been written.

National JA Seavey stated that should be served by mail, get everything set and then move from there. The trial will be the first step, and then after that the DEC will decide and then the convention and then National

Post 15 Commander Brunson said he'd like to have a little more guidance on how to proceed. We haven't sent out a robo call or a rebuttal or anything. I think the post that's really concerned, once the charter was revoked,

National Judge Advocate Seavey stated it was suspended. It's suspended for now, whether go for revocation, cancellation, or suspension, the first step is suspension because they haven't had a chance to appeal it, so it's temporary for now.

Post Commander Brunson said the confusion is who is the commander, who is not the commander.....

National Judge Advocate said that's been settled, it's nobody, there are no officers, there's no nothing. Right now it's essentially like you've taken the post and frozen in amber. As it is right now, it's the way it's going to stay, and it's sealed off from everything else. That's until the trial can take place and the DEC can look at it and everything else. But until then the Post can't really do anything, absent the permission of the Department. Because right now, there is no charter, so the charter is essentially the permission for you to be out of the classroom, to do things. Right now, you don't have that. There's been a lot made, everyone is freakish protective of the charter, meaning the physical symbol, like the actual charter.

That's really a thing on my side, so don't get too wrapped around the axle on not having physical custody of the charter. It's suspended, everyone knows it's suspended, it's in the newspaper, right? So, now it's a fact, so don't worry about that. But we've got to lower the temperature a little so everything can stay on the rails because we don't need this spiraling off.

I can talk with you off line if you want, I can talk with you and your post, if you want, about what the process looks like, and how they can mount a defense. I'm not going to do it for you, but I'll tell you by the book how to proceed. In the meantime the first thing the post needs to do is stop. It's not doing anyone any good to fight this out in the public opinion. So the temperature's got to be lowered. The rental, the fair, there's only three of us. The other half is still running the post as it's going. I've asked my adjutant to step back. But the other half is still going. They're still having meetings, they're still doing rentals, the farmer's market is still going. The people in the farmers' market have pulled out but the fair is still going.

National Judge Advocate Seavey stated we need a cease and desist on everything.
(inaudible)

Commander Brunson: We understand the cease and desist, the three of us. However, the others are still operating and doing what they do.

Imm PDC Lysaght stated the hole that's being dug by those on the other side of the fence is just getting deeper.

National Judge Advocate stated that to the extent there any people in the post doing something, now they're on the hook civilly liable for their own actions, which is going to be bad. Regardless of whether the post has D & O insurance, I doubt C & O insurance is going to cover it because the post has been suspended. So if anything happens, if God forbid, if something happens at that fair, boy, there's going to be a lot of civil liability flying left and right.

Commander Brunson said he would instruct the Adjutant to stop paying the bills, to cease on that.

National Judge Advocate Seavey: Some of this is a judgement call too. Say we got the farmers market going on and we cancel it, then there's going to be breach of contract so there's going to be times in here when it's going to have to be a call. If it were me, I'd say, let them finish up the fair and shut it down. But we don't necessarily want to stop paying the bills, use your judgement on this. For right now, as long as we're in this phase, the Department is legally liable for anything that happens there. So the first step is to mitigate what could happen and that means to basically shut down the post with cease and desist.

Commander Brunson said the biggest thing is the rentals.

National Judge Advocate Seavey asked if that means renting for weddings or events?

Commander Brunson said the other side is still doing rentals but the three of us have stopped our rental contracts and telling the people that the post has stopped and giving them their money back.

National Judge Advocate Seavey said just exercise common sense, and from what he's seen, he stated he can't attest to what he hasn't seen, everything is going pretty much according to the plan it should be on right now.

D-18 Cmdr Pouncy asked if the Department could be sued.

National JA Seavey said if they're going to sue, they're going to sue. You've got to make sure that you have the attitude, you have to know what your liability and assets are. If you got sued right now, I wouldn't lose even a second's worth of sleep over it because it will get thrown out in a heartbeat. It is well within the power of the Department to shut down a post to figure out what's going on. He said that's what we're talking about. Seavey stated that is the job of the Department. This isn't where, there's some oddity here, whether one wants to say it's illegal or anything else, there's just enough oddity with this post that we're not getting any bang for our buck until we get it fixed. And you don't want something like that to infect neighboring posts, other posts of the Department where just lack of...if you're a counselor at boys' state, it only takes three bad boys to take your city right into the dumper. So you've got to dry your Fireline and you don't get the three. We're dealing with the same thing here. When is a post acting like this, there's enough oddity, we can all see the smoke here. Putting aside all the other weirdness, lock changing and everything else. There's enough smoke here that you're well within your rights to shut that post down. So if you get sued for it, go in gladly smiling. But you're good to go.

D-8 Cmdr asked what happens to the members of the post right now.

National JA Seavey answered essentially nothing happens to them. They're still members of The American Legion, every right they had before continues. That shouldn't change. The one issue that concerns me is the rentals. Insufficient security can be a problem. You've got to be careful and keep an eye on the post.

Acting Adjutant, NEC Hawk stated that to clarify the new people, you do know we formed an ad hoc committee called the Confidential Investigative Committee and then we called the DEC back in to activate that, so the procedures our National Judge Advocate is talking about is what we're doing, and this is part of that procedure. The CIC gave their report, the DEC made their decision, like he said, it doesn't happen overnight. Like National Advocate Seavey said, you've got to dot the I's and cross the T's. We wish it would happen overnight so Post 15 can go back to business but it doesn't work that way. We've got to follow A,B,C,D, as outlined by the National Organization. When it goes to court, we dotted all the I's and T's, in our previous issues and we won all five individual charges against that, because we followed the constitution, both Department and National.

National JA Seavey said the ones that don't, we know it. He said one Department was all over the place, not following the constitution and not keeping minutes, making it even worse. But so far South Carolina is doing the right thing. He stated he was glad he came down, if only because I'm feeling better about where South Carolina is.

Acting Adjutant, NEC Hawk said he had one question on who does what at Sumter Post 15. He asked if Sumter American Legion Post 15 runs the fair?

Post Commander Brunson answered in the affirmative.

Acting Adjutant, NEC Hawk asked the Post runs the fair but contracts out to other people?

Commander Brunson answered in the affirmative.

National JA Seavey asked what the name of the fair is?...

Vice Cmdr Lonergan stated he believes its Sumter American Legion Post 15 Fair. It used to be called the county fair, but the county stopped supporting it, so they took "county" out of it.

Nt. JA Seavey stated that it puts us into a different ball game, but it doesn't change anything. But we've got to be real careful about using The American Legion name, we've got American Legion supermarkets, American Legion golf courses, using the American Legion name makes it dicey but it makes it easier for us to shut things down.

PDC Lysaght stated that as far as all of the loose conversation, that Dorian Brunson is the Commander of that post, that documentation is on record at National. All this about people having meetings there, all that is just water under the bridge. Sumter is not holding meetings, you're not scheduling meetings, you're doing the right thing by now playing in somebody's back yard that hasn't raked the leaves

National JA Seavey stated they can meet any time they want, but it doesn't have any....they can't really decide anything. The court system will figure that one out.

Acting Adjutant, NEC Hawk stated that Department JA Mitchell is in court today so could not attend the meeting. He said that JA Mitchell stated that the Department didn't ask for this, but when we were asked, people don't like it. So, that's our job, as the E-board, that's our job to protect the Brand, the name of The American Legion, Sumter Post 15, but it takes time, so please remember, it takes time. We're in constant contact with our JA, he gets everything we get, it's still coming in. Like National JA Seavey said, we've got to do it by the book.

National JA stated that he wants the original trial as soon as possible, but the reality is someone will appeal it. Let's get that first step so we can get things moving. Because that's the only way we can calm down the lock changing, the dogs and everything else.

Acting Adjutant, NEC Hawk said that brings you all up to speed, our next DEC is at the Fall conference, if anything happens between now and then, you'll be notified, of course.

Commander Brunson said he wanted to thank everyone, he said it's been extremely trying to try to get the post to make some changes and hold people accountable, and he hoped to get back on track adding that Sumter American Legion Post brings a lot to the community.

Acting Adjutant, NEC Hawk said the next thing will be to receive reports from the Department Officers, he asked Commander Rabon if he could get a motion to delay those reports until the November meeting.

D-8 Cmdr Malpass: I make a motion to suspend the officer reports until the November meeting.

Vice Cmdr Lonergan: I second.

Dept Cmdr Rabon: All in favor, say aye? Opposed? Ayes have it.

Acting Adjutant, NEC Hawk stated he would give the NEC report at the Fall Conference DEC meeting as well.

National JA Seavey said there was one change at the National Convention on the constitution, you have members who have done something stupid, and know they've done something stupid and now they're going to be thrown out, and then they transfer, now they can't do that. He stated he'd move that member right back. He added that the next thing is the people that join the Legion in one place, the Riders in another and the SAL in a third, so they can be a pain in the ass in three places, so that would be dealt with too.

D-4 Cmdr Myers said he understood that a member could join another chapter if their post did not have a chapter.

National JA Seavey said that's fine, Tennessee has the same rule, he's ok with that.

Vice Cmdr Lonergan said he had a question about that. Sumter Post 15 is under suspension, and they have an ALR chapter as well.

National JA Seavey answered that ALR Chapter 15 is suspended as well. He added that the members of Chapter 15 can still participate in a Department ride, but they can't plan their own rides for that post. They cannot do anything on their own.

Acting Adj, NEC Hawk said he's glad that National JA Seavey brought that up, because we'll have to add that to the South Carolina Department Constitution as well. He added that needs to be looked at, especially dealing with some felon issues that has to be looked at as well. Hawk said the Department lost the Chairman of the Department Constitution and Bylaws Sub-Committee, Bill Simpson. Bill has gone to Post Everlasting. Hawk asked said everyone to please rise, uncover and give a moment of silence in his behalf. (all rose in a sign of respect for Bill Simpson).

Hawk said that the two remaining members (John Britt and Jim Hawk) did meet at the National Convention so the forms could go out for 2025/2026. He said the committee had hoped to meet with Bill, Bill had been in and out of the hospital since May, but his health just took him. Maggie was there, we took minutes, you've got the new forms that cover the SAL and Riders as well. The major change is the big printed first page is now included on the instruction page and some of that is at the bottom of the second page. Any corrections have to be back by February 6, 2026. The big thing is you've got to copy word for word, the constitution, or bylaws, and then line out what you want to strike out (~~strike out~~), and under proposed, **underline and BOLD**. Once ya'll approved it, the forms are different this year, as far as the heading so we've been known to get some that are four years old. You have the Legion, the SAL, the Riders, and the Resolution forms. Hawk asked for a motion that we approve it with changes.

Vice Commander Lonergan made the motion to approve the form with changes, The emblem on the flag is not proper.

Acting Adj, NEC Hawk asked if there anything else, he said we'd check on that.

D-13 Cmdr Gibson seconded the motion with changes. Commander Rabon asked all present in favor of the motion to say aye, opposed by the same sign. Motion to approve form with changes was approved and so ordered. (after the DEC meeting, Maggie talked with the Emblem Sales Director, Mitchell Reed, who approved the form with a

modification on 9/10/25, the approved form was emailed to the DEC same day with note that Emblem Sales Director approved and posted on the webpage)

Dept Cmdr Rabon called on Department Finance Chairman, Tom Yarborough, for the finance report.

Finance Chairman Yarborough said that most of the items are self-explanatory. He said the only thing that he wanted to call attention to was on page 3, several weeks a recommendation was made to contribute \$10,000 to the Department of Texas to assist with the flooding, an email vote was conducted, was approved, and made.

He stated that the finance committee had received five recommendations to amend the 2026 budget. He said that the DEC had approved that South State Bank handle the Department investment account, the last American Legion CD had just been closed and that was also moved to the investment account.

Dept Cmdr Rabon asked for motion to approve the finance report as presented.

D-8 Cmdr Malpass: I make a motion to approve the finance report as presented.

D-17 Cmdr Boddie made a second.

Commander Rabon restated the motion and asked if there was any discussion. There being none, he asked all that approved to say aye, all opposed by the same sign, all present approved the motion to accept the finance report as presented, none opposed, motion passed to approve the finance report as presented.

Commander Rabon said that Department Membership Chairman was not present, but that Chairman Dorman wanted to thank everyone on the work they were doing on retention and recruiting. He said just keep on trucking and keep on moving along. He said we did a great job last year and we want to do that this year. Commander Rabon stated he appreciates all the hard work that everyone is doing, adding that there is a Department membership meeting on the 20th of September at 10:00 am here at Department Headquarters. Commander asked if there were any resolutions, motions, or petitions.

Acting Adjutant NEC Hawk answered there were, adding that he had an announcement reference the Department Adjutant ad hoc Search Committee. He gave the following report:

Mr. Commander:

With the conclusion of the August 1, 2025 deadline to receive additional applications expired, the phase two ad hoc search committee, Joe Lysaght, John Palmer, Doug Ammon, Commander Rabon and I, met on August 13, 2025 at 10:30 am at Department Headquarters. The Department received two (2) new and three (3) repeat applications along with the original three (3) recommendations of the phase one ad hoc committee. After reviewing all applications by date of submission one at a time and after lengthy discussion, by unanimous vote, the committee recommended their top two candidates.

The committee proceeded with the telephone interview of candidate number one (1). After an extensive interview, candidate one (1) accepted our invitation to become our next adjutant.

Therefore, Mr. Commander, our recommendation to you and this body, is Mr. Robert Renner W. Renner to become our next Department Adjutant, effective October 11, 2025. This concludes our report and our responsibility as prescribed by this body.

(report concluded)

Department Commander Rabon: Can I get a motion to accept the recommendation of the Search Committee?

Vice Commander Lonergan: I make a motion to accept the Adjutant and the team's recommendations.

D-9 Commander Comins: I make a second.

Department Commander Rabon: Ok, any further discussion? All in favor say aye? All opposed by the same sign. Passes.

Department Commander Rabon: Ok, now I'll do my comments. I appreciate everyone being here and being patient. Mark (Seavey), I appreciate you coming here, and your comments. I appreciate everyone that's working on the P-15 issue. It's a pleasure to be your Commander and working with you. Thank ya'll for the privilege.

Vice Commander Lonergan asked why Kershaw 63 isn't on the membership report.

Department Commander Rabon replied that the Charter for Kershaw Post 63 had been approved for cancellation by the DEC and by the NEC.

Hough stated that she had done the required paperwork to send to National to cancel the charter. (the DEC had approved on March 9, 2025 that if any post did not reach the the minimum 15 by March 31, to hold a charter, their charter would begin to cancel the post charter. Kershaw 63 was the only of five that had initially been recommended for cancellation, the rest reached or surpassed the minimum 15).

Commander Rabon called on Department Chaplain Shuford for the benediction, asked for a hand salute to the flag, and closed the meeting.

For God and Country,

Jim Hawk, NEC
Acting Department Adjutant

JH/mm